IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

Bail Appl..No. 2873 of 2007()

(IN CRIME NO.142/2007 OF EZHUKONE POLICE STATION PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, KOTTARAKKARA)

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PETITIONERS:ACCUSED:

1. **YADUKUMAR, AGED 27 YEARS, S/O.DIVAKARAN, S.N.COTTAGE, MULLANKALLY,PARANDODU P.O., ARYANADU VILLAGE, NEDUMANGAD, TRIVANDRUM DISTRICT.**

2. **DIVAKARAN, AGED 55 YEARS,S.N.COTTAGE, MULLANKALLY,PARANDODU P.O., ARYANADU VILLAGE, NEDUMANGAD, TRIVANDRUM DISTRICT.**

3. **VIJAYALAKSHMI, AGED 48 YEARS, W/O.DIVAKARAN,S.N.COTTAGE, MULLANKALLY,PARANDODU P.O., ARYANADU VILLAGE, NEDUMANGAD, TRIVANDRUM DISTRICT.**

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENT: STATE:

THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2873 OF 2007

Dated this the 25th day of May, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are the husband, father-in-law and mother-in-law of the complainant Remya K. Nair, seek anticipatory bail. Petitioners are accused Nos.1 to 3 in Crime No.142/07 of Ezhukone Police Station for an offence punishable under Sec.498A read with section 34 I.P.C. The marriage between the first petitioner and Remya K. Nair was on 28.2.2004.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. Petitioners 1 and 2 shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

c. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. Petitioners shall not commit any offence while on bail.

e. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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